

***- House Passed Free Flow of Information Act Will Protect Journalists' Use of Confidential Sources -***

Washington, DC – U.S. Rep. John Hall (D-NY19) voted today to protect journalists' use of confidential sources for reporting and establish a "press shield." The House of Representatives approved H.R. 2102, the Free Flow of Information Act, today by a vote of 398 to 21.

"Free speech and a free press are the underpinnings of our democracy," said Hall. "It is often only through the press that corruption and illegality are exposed. Without guaranteed confidentiality, sources with vital information could be deterred from speaking out for fear of retribution."

The Free Flow of Information Act sets criteria which must be met to compel the disclosure of sources and information from reporters to ensure that the ability of reporters to guarantee confidentiality to their sources is not threatened. The legislation would make these standards mandatory in all federal criminal or civil matters, with heightened protection for the identities of confidential sources.

"The Free Flow of Information Act sends an important signal to the public that individuals who help bring to light waste, fraud or abuse in the government or private sector will be protected," said Hall.

H.R. 2102 would provide journalists with a qualified privilege as to sources and information, while at the same time, recognizing the public interest in effective law enforcement and robust national security.

During the past few years, more than thirty reporters have been subpoenaed or questioned in federal court proceedings about confidential sources, and several have been sentenced or threatened with jail sentences.

"These actions have a chilling effect on the willingness of reporters to rely on confidential sources and on the willingness of sources to speak to reporters," said Hall.

The bill contains provisions to ensure that the privilege would not impair law enforcement's efforts to prevent acts of terrorism, threats to national security, and death or bodily harm to members of the public, or to identify a person who has disclosed significant trade secrets or certain financial or medical information in violation of current law.

Forty-nine states and the District of Columbia recognize a reporter's privilege through either state laws or court decisions. In a brief filed with the Supreme Court, a bipartisan group of thirty-four state attorneys general pointed out that the lack of a clear standard in federal court is undermining state laws.

"The Free Flow of Information Act is a reasonable and well-balanced approach that will provide much needed clarity at the federal level," said Hall.

-30-